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PN: P18310 (Intel Corporation)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

Naomi O. Limcangco

Application No.: 10/816,402

Filed: 03/31/2004

For: MICROELECTROMECHANICAL
SWITCH WITH AN ARC
REDUCTION ENVIRONMENT

Examiner: Rojas, Bernard

Art Unit: 2832

Confirmation No.: 9598

CERTIFICATE OF TRANSMISSION/MAILING

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RESPONSE TO ELECTION REQUIREMENT

This communication is submitted in response to the Election Requirement mailed September 16, 2005 (hereinafter "Election Requirement"), which requires election of a species for prosecution on the merits.

The Election Requirement purports that there are six distinct species, identified in the Election Requirement by various references to the figures. The Applicant would like to point out that Patent Office examination guidelines define the term "species" as the "specifically different embodiments" of an invention. See MPEP 806.04(e). Furthermore, claims to be restricted to different species must recite the mutually exclusive characteristics of such species. See MPEP 806.04(f). Although the embodiments shown in the figures of the application give coating schemes of some embodiments, there is nothing to suggest that these embodiments are either exclusive of one another, or exhaustive. To the contrary, the application explicitly states other embodiments of the present invention may include other coating schemes. See paragraph 33.